



IP 1645

DOCKET NO.: C1039.70020US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.
Serial No.: 09/337,584
Confirmation No.: 9169
Filed: June 21, 1999
For: IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES
Examiner: Nita M. Minnifield
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 25 day of August, 2004.


Kristin J. Ketelhor

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,


Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 with cited references
- ☒ Return Receipt Postcard

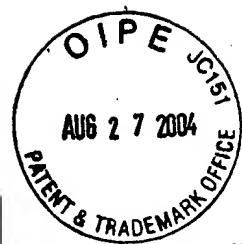
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Krieg et al., Applicant

By: 
Maria A. Trevisan, Ph.D., Reg. No. 48,207
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No. C1039.70020US00
Date: August 25, 2004
xNDDx



DOCKET NO: C1039.70020US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.
Serial No: 09/337,584
Confirmation No: 9169
Filed: June 21, 1999
For: IMMUNOSTIMULATORY NUCLEIC ACID
MOLECULES
Examiner: Nita M. Minnifield
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 25 day of August, 2004.


Kristin J. Ketellut

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
C1037.70013US01	10/831,778	April 23, 2004	Bratzler et al.
C1037.70038US01	10/735,592	December 11, 2003	Krieg et al.
C1037.70039US01	10/816,220	April 1, 2004	McCluskie et al.
C1037.70042US00	10/613,524	July 3, 2003	Krieg
C1037.70044US00	10/613,736	July 3, 2003	Krieg
C1037.70048US00	10/644,052	August 19, 2003	Jurk et al.
C1037.70049US00	10/643,141	August 18, 2003	Hutcherson et al.
C1037.70052US00	10/668,050	September 22, 2003	Bratzler et al.
* C1039.70035US00	09/669,187	September 25, 2000	Krieg et al.
¹ C1039.70035US01	10/884,866	July 2, 2004	Krieg et al.
¹ C1039.70035US02	10/888,803	July 9, 2004	Krieg et al.
C1039.70036US00	09/559,140	April 27, 2000	Noll et al.
C1039.70041US00	09/655,319	September 5, 2000	Krieg et al.
C1039.70042US00	09/630,319	July 31, 2000	Krieg et al.
C1039.70043US00	09/629,477	July 31, 2000	Krieg et al.
C1039.70044US00	09/672,126	September 27, 2000	Hartmann et al.
C1039.70048US01	10/769,282	January 30, 2004	Krieg et al.
² C1039.70048US02	10/817,165	April 2, 2004	Krieg et al.
² C1039.70048US03	10/831,647	April 23, 2004	Krieg et al.
² C1039.70048US04	10/847,642	May 15, 2004	Krieg et al.
² C1039.70048US05	10/877,407	June 24, 2004	Krieg et al.
² C1039.70048US06	10/884,852	July 2, 2004	Krieg et al.
² C1039.70048US07	10/888,785	July 9, 2004	Krieg et al.
² C1039.70048US08	10/888,449	July 9, 2004	Krieg et al.

¹Copy not enclosed; see C1039.70035US00, Serial No. 09/699,187 for identical specification

²Copy not enclosed; see C1039.70048US01, Serial No. 10/769,282 for identical specification

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
² C1039.70048US09	Not Yet Assigned	July 16, 2004	Krieg et al.
² C1039.70048US10	Not Yet Assigned	July 16, 2004	Krieg et al.
C1039.70057US00	09/965,101	September 26, 2001	Davis et al.
³ C1039.70057US01	10/838,659	May 3, 2004	Davis et al.
C1039.70058US01	10/831,775	April 23, 2004	Davis et al.
⁴ C1039.70062US00	10/187,489	July 2, 2002	Krieg et al.
C1039.70070US00	10/382,822	March 6, 2003	Krieg et al.
² C1039.70071US00	10/435,656	May 9, 2003	Krieg et al.
² C1039.70074US00	10/679,710	October 3, 2003	Krieg et al.
² C1039.70075US00	10/613,916	July 3, 2003	Krieg et al.
C1039.70077US00	10/619,279	July 14, 2003	Krieg
⁴ C1039.70079US00	10/627,413	July 25, 2003	Krieg et al.
C1039.70083US00	10/690,495	October 21, 2003	Krieg et al.
⁵ C1039.70083US01	10/769,626	January 30, 2004	Krieg et al.
⁵ C1039.70083US02	10/787,737	February 26, 2004	Krieg et al.
⁵ C1039.70083US03	10/788,199	February 26, 2004	Krieg et al.
⁵ C1039.70083US04	10/788,191	February 26, 2004	Krieg et al.
⁵ C1039.70083US05	10/789,536	February 26, 2004	Krieg et al.
⁵ C1039.70083US06	10/789,051	February 26, 2004	Krieg et al.
⁵ C1039.70083US07	10/789,353	February 26, 2004	Krieg et al.
⁵ C1039.70083US08	10/847,650	May 15, 2004	Krieg et al.
⁵ C1039.70083US09	10/888,885	July 9, 2004	Krieg et al.
⁵ C1039.70083US10	10/888,089	July 9, 2004	Krieg et al.
C1039.70084US00	10/649,584	August 25, 2003	Krieg et al.
* C1040.70006US01	10/888,886	July 9, 2004	McCluskie et al.
C1040.70012US00	10/644,267	August 20, 2003	Davis et al.
* C1041.70002US01	10/877,369	June 25, 2004	Wagner et al.
⁶ C1041.70002US02	10/876,965	June 25, 2004	Wagner et al.
⁶ C1041.70002US03	10/876,892	June 25, 2004	Wagner et al.
C1041.70005US00	09/355,254	February 22, 2000	Wagner et al.

²Copy not enclosed; see C1039.70048US01, Serial No. 10/769,282 for identical specification³Copy not enclosed; see C1039.70057US00, Serial No. 09/965,101 for identical specification⁴Copy not enclosed; see C1039.70042US00, Serial No. 09/630,319 for identical specification⁵Copy not enclosed; see C1039.70083US00, Serial No. 10/690,495 for identical specification⁶Copy not enclosed; see C1041.70002US01, Serial No. 10/877,369 for identical specification

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
⁷ C1041.70005US01	10/811,226	March 26, 2004	Wagner et al.
⁷ C1041.70005US02	Not Yet Assigned	July 16, 2004	Wagner et al.
C1041.70010US00	09/786,436	March 2, 2001	Wagner et al.
C1041.70016US01	10/884,372	July 2, 2004	Bauer et al.
C1041.70024WO00	PCT/US04/12788	April 22, 2004	Vollmer et al.
C1041.70036US01	10/872,196	June 18, 2004	Lipford et al.
C1041.70040US00	10/666,844	September 19, 2003	Lipford et al.

⁷Copy not enclosed; see C1041.70005US00, Serial No. 09/355,254 for identical specification

The Applicant would like to bring to the Examiner's attention the following co-pending application (copy enclosed) that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor</u>
09/265,191	03-10-1999	Carson et al.

Comments Regarding Pending Interference No. 105,171

Applicants of the instant patent application are also named inventors on an issued patent US Patent No. 6,207,646 B1 which is currently involved in an Interference (Interference No. 105,171). The instant patent application derives priority from US 6,207,646 B1. In view of the priority Applicants have included on the attached 1449 a listing of all of the motions filed in the Interference to date. Copies are enclosed for the Examiner's review. If the Examiner would like any additional information on this subject, she is encouraged to contact Applicants' representative at the number listed below.

The following are remarks concerning the other information cited:

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

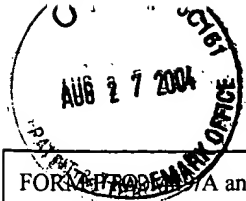
An early and favorable action is hereby requested.

Respectfully submitted,
Krieg et al., *Applicant*

By: 

Maria A. Trevisan, Ph.D., Reg. No. 48,207
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

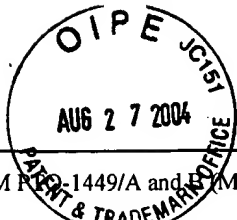
Docket No. C1039.70020US00
Date: August 25 2004
XNDDX



INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/337,584		ATTY. DOCKET NO.: C1039.70020US00	
				FILING DATE: June 21, 1999		CONFIRMATION NO.: 9169	
				APPLICANT: Krieg et al.			
				GROUP ART UNIT: 1645		EXAMINER: Nita M. Minnifield	
Sheet	1	of	8				

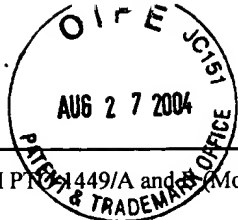
U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A3	6,653,292	B1	Krieg et al.	11-25-2003
	A4	6,727,230	B1	Hutcherson et al.	04-27-2004
	A5	2001/0044416	A1	McCluskie et al.	11-22-2001
	A6	2002/0064515	A1	Krieg et al.	05-30-2002
	A7	2002/0091097	A1	Bratzler et al.	07-11-2002
	A8	2002/0156033	A1	Bratzler et al.	10-24-2002
	A9	2002/0164341	A1	Davis et al.	11-07-2002
	A10	2002/0165178	A1	Schetter et al.	11-07-2002
	A11	2002/0198165	A1	Bratzler et al.	12-26-2002
	A12	2003/0026782	A1	Krieg et al.	02-06-2003
	A13	2003/0026801	A1	Weiner et al.	02-06-2003
	A14	2003/0050261	A1	Krieg et al.	03-13-2003
	A15	2003/0050263	A1	Krieg et al.	03-13-2003
	A16	2003/0050268	A1	Krieg et al.	03-13-2003
	A17	2003/0055014	A1	Bratzler	03-20-2003
	A18	2003/0087848	A1	Bratzler et al.	05-08-2003
	A19	2003/0091599	A1	Davis et al.	05-15-2003
	A20	2003/0100527	A1	Krieg et al.	05-29-2003
	A21	2003/0104523	A1	Bauer et al.	06-05-2003
	A22	2003/0139364	A1	Krieg et al.	07-24-2003
	A23	2003/0148316	A1	Lipford et al.	08-07-2003
	A24	2003/0148976	A1	Krieg et al.	08-07-2003
	A25	2003/0166001	A1	Lipford	09-04-2003
	A26	2003/0181406	A1	Schetter et al.	09-25-2003
	A27	2003/0191079	A1	Krieg et al.	10-09-2003
	A28	2003/0212026	A1	Krieg et al.	11-13-2003
	A29	2003/0224010	A1	Davis et al.	12-04-2003
	A30	2003/0232074	A1	Lipford et al.	12-18-2003
	A31	2004/0009949	A1	Krieg	01-15-2004
	A32	2004/0030118	A1	Wagner et al.	02-12-2004
	A33	2004/0053880	A1	Krieg	03-18-2004
	A34	2004/0067905	A1	Krieg	04-08-2004
	A35	2004/0087534	A1	Krieg et al.	05-06-2004
	A36	2004/0087538	A1	Krieg et al.	05-06-2004
	A37	2004/0092472	A1	Krieg	05-13-2004
	A38	2004/0106568	A1	Krieg et al.	06-03-2004
	A39	2004/0131628	A1	Bratzler et al.	07-08-2004



FORM PTO-1449/A and (Modified)		APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
		APPLICANT: Krieg et al.	
		GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield
Sheet	2	of	8

	A40	2004/0132685	A1	Krieg et al.	07-08-2004
	A41	5,112,605		Jardieu	05-12-1992
	A42	5,679,647		Carson et al.	10-21-1997
	A43	5,908,620		Tu et al.	06-01-1999
	A44	5,955,059		Gilchrest et al.	09-21-1999
	A45	5,994,315		Nyce et al.	11-30-1999
	A46	6,025,339		Nyce	02-15-2000
	A47	6,040,296		Nyce	03-21-2000
	A48	6,090,791		Sato et al.	07-18-2000
	A49	6,174,872	B1	Carson et al.	01-16-2001
	A50	6,194,388	B1	Krieg et al.	02-27-2001
	A51	6,207,646	B1	Krieg et al.	03-27-2001
	A52	6,214,806	B1	Krieg et al.	04-10-2001
	A53	6,218,371	B1	Krieg et al.	04-17-2001
	A54	6,239,116	B1	Krieg et al.	05-29-2001
	A55	6,339,068	B1	Krieg et al.	01-15-2002
	A56	6,406,705	B1	Davis et al.	06-18-2002
	A57	6,426,336	B1	Carson et al.	
	A58	6,429,199	B1	Krieg et al.	08-06-2002
	A59	6,562,798		Schwartz	05-13-2003
	A60	6,589,940	B1	Raz et al.	07-08-2003
	A61	6,610,661		Carson et al.	08-26-2003
	A62	2002/0086839	A1	Raz et al.	07-04-2002
	A63	2003/0022852	A1	Van Nest et al.	01-30-2003
	A64	2003/0027782	A1	Carson et al.	02-06-2003
	A65	2003/0049266	A1	Fearon et al.	03-13-2003
	A66	2003/0059773	A1	Van Nest et al.	03-27-2003
	A67	2003/0064064	A1	Dina et al.	04-03-2003
	A68	2003/0078223	A1	Raz et al.	04-24-2003
	A69	2003/0092663	A1	Raz et al.	5-15-2003
	A70	2003/0109469	A1	Carson et al.	06-12-2003
	A71	2003/0119773	A1	Raz et al.	06-26-2003
	A72	2003/0125279	A1	Junghans et al.	07-03-2003
	A73	2003/0133988	A1	Fearon et al.	07-17-2003
	A74	2003/0186921	A1	Carson et al.	10-02-2003
	A75	2003/0203861	A1	Carson et al.	10-30-2003
	A76	2003/0232780	A1	Carson et al.	12-18-2003
	A77	2004/0006034	A1	Raz et al.	01-08-2004
	A78	2004/0006010	A1	Carson et al.	01-08-2004
	A79	2004/0092468	A1	Schwartz et al.	05-13-2004



FORM PTO/A-1449/A and (Modified)		APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
		APPLICANT: Krieg et al.	
		GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield
Sheet	3	of	8

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B2	WO	99/52549	A1	Smithkline Beecham Biologicals S.A.	10/29/1999	
	B3	WO	99/56755	A1	University of Iowa Research Foundation	11-11-1999	
	B4	WO	99/62923	A2	Dynavax Technologies Corporation		
	B5	WO	00/16804	A1	Dynavax Technologies Corporation		
	B6	WO	00/20039	A1	The Regents of the University of California		
	B7	WO	00/62787	A1	The Regents of the University of California		
	B8	WO	01/02007	A1	The Regents of the University of California		
	B9	WO	01/12223	A2	Dynavax Technologies Corporation		
	B10	WO	01/68144	A2	Dynavax Technologies Corporation	09-20-2001	
	B11	WO	03/000232	A2	Dynavax Technologies Corporation	01-03-2003	
	B12	WO	03/094963		INEX Pharmaceuticals Corp.	11-20-2003	
	B13	WO	03/101375		Immunotech SA	12-11-2003	
	B14	WO	2004/007743	A2	Coley Pharmaceutical GMBH	01-22-2004	
	B15	WO	2004/039829	A2	Coley Pharmaceutical Group, Ltd.	05-13-2004	

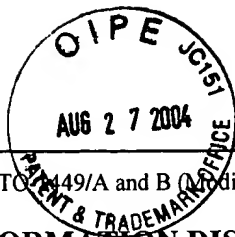
OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	ABED et al., Interferon-gamma regulation of B lymphocyte differentiation: activation of B cells is a prerequisite for IFN-gamma-mediated inhibition of B cell differentiation. Cell Immunol. 1994 Feb;153(2):356-66.	
	C2	AGRAWAL et al., Pharmacokinetics, biodistribution, and stability of oligodeoxynucleotide phosphorothioates in mice. Proc Natl Acad Sci U S A. 1991 Sep 1;88(17):7595-9.	
	C3	ASKEW et al., "CpG DNA induces maturation of dendritic cells with distinct effects on nascent and recycling MHC-II antigen-processing mechanisms", Journal of Immunology, 165: 6889-95, 2000.	
	C4	BAUER et al., DNA activates human immune cells through a CpG sequence-dependent manner. Immunology. 1999 Aug;97(4):699-705.	
	C5	BOHLE et al., Oligodeoxynucleotides containing CpG motifs induce IL-12, IL-18 and IFN-gamma production in cells from allergic individuals and inhibit IgE synthesis in vitro. Eur J Immunol. 1999 Jul;29(7):2344-53.	
	C6	BRANDA et al., Immune stimulation by an antisense oligomer complementary to the rev gene of HIV-1. Biochem Pharmacol. 1993 May 25;45(10):2037-43.	
	C7	BRAZOLOT-MILLAN et al., CpG DNA can induce strong Th1 humoral and cell-mediated immune responses against hepatitis B surface antigen in young mice. Proc Natl Acad Sci U S A. 1998 Dec 22;95(26):15553-8.	
	C8	BROIDE et al., Modulation of asthmatic response by immunostimulatory DNA sequences. Springer Semin Immunopathol. 2000;22(1-2):117-24. Review.	
	C9	BROIDE et al., Immunostimulatory DNA sequences inhibit IL-5, eosinophilic inflammation, and airway hyperresponsiveness in mice. J Immunol. 1998 Dec 15;161(12):7054-62.	
	C10	BROIDE et al., DNA-Based immunization for asthma. Int Arch Allergy Immunol. 1999 Feb-Apr;118(2-4):453-6.	
	C11	BRUNNER et al., "Enhanced dendritic cell maturation by TNF-alpha or cytidine-phosphate-guanosine DNA drives T cell activation in vitro and therapeutic anti-tumor immune responses in vivo", Journal of Immunology, 165: 6278-6286, 2000.	
	C12	CARSON et al., Oligonucleotide adjuvants for T helper 1 (Th1)-specific vaccination. J Exp Med. 1997 Nov 17;186(10):1621-2. Review.	



FORM PTO-1449/A (Rev. 11-97) B (Modified)				APPLICATION NO.: 09/337,584		ATTY. DOCKET NO.: C1039.70020US00	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: June 21, 1999		CONFIRMATION NO.: 9169	
				APPLICANT: Krieg et al.			
				GROUP ART UNIT: 1645		EXAMINER: Nita M. Minnifield	
Sheet	4	of	8				

C13	CHACE et al., Bacterial DNA-induced NK cell IFN-gamma production is dependent on macrophage secretion of IL-12. <i>Clin Immunol Immunopathol.</i> 1997 Aug;84(2):185-93.		
C14	CROFT et al., Generation of polarized antigen-specific CD8 effector populations: reciprocal action of interleukin (IL)-4 and IL-12 in promoting type 2 versus type 1 cytokine profiles. <i>J Exp Med.</i> 1994 Nov 1;180(5):1715-28.		
C15	DAVIS et al., "Use of CpG DNA for enhancing specific immune responses", <i>Current Topics in Microbiology Immunology</i> , 247: 171-83, 2000.		
C16	DUNN et al., The three Es of cancer immunoediting. <i>Annu Rev Immunol.</i> 2004;22:329-60. Review.		
C17	DURHAM et al., Immunotherapy and allergic inflammation. <i>Clin Exp Allergy.</i> 1991 Jan;21 Suppl 1:206-10.		
C18	FRANCOIS et al., Examination of the inhibitory and stimulatory effects of IFN-alpha, -beta, and -gamma on human B-cell proliferation induced by various B-cell mitogens. <i>Clin Immunol Immunopathol.</i> 1988 Sep;48(3):297-306.		
C19	FRISSORA et al., IFN-gamma-mediated inhibition of antigen receptor-induced B cell proliferation and CREB-1 binding activity requires STAT-1 transcription factor. <i>Eur J Immunol.</i> 2003 Apr;33(4):907-12.		
C20	HARTMANN et al., "CpG DNA and LPS induce distinct patterns of activation in human monocytes", <i>Gene Therapy</i> , 6: 893-903, 1999.		
C21	HARTMANN et al., "Mechanism and function of a newly identified CpG DNA motif in human primary B cells", <i>Journal of Immunology</i> , 164: 944, 2000.		
C22	HARTMANN et al., "Delineation of a CpG phosphorothioate oligodeoxynucleotide for activating primate immune responses in vitro and in vivo", <i>Journal of Immunology</i> , 164: 1617, 2000.		
C23	HARTMANN et al., "CpG DNA: a potent signal for growth, activation, and maturation of human dendritic cells", <i>Proceedings of the National Academy of Science USA</i> , 96: 9305-9310, 1999.		
C24	HEEG et al., CpG DNA as a Th1 trigger. <i>Int Arch Allergy Immunol.</i> 2000 Feb;121(2):87-97. Review.		
C25	HOPKIN et al., <i>BioMedNet</i> , Issue 57, 6/25/1999.		
C26	HORNER et al., Optimized conjugation ratios lead to allergen immunostimulatory oligodeoxynucleotide conjugates with retained immunogenicity and minimal anaphylactogenicity. <i>J Allergy Clin Immunol.</i> 2002 Sep;110(3):413-20.		
C27	HORNER et al., Immunostimulatory sequence oligodeoxynucleotide-based vaccination and immunomodulation: two unique but complementary strategies for the treatment of allergic diseases. <i>J Allergy Clin Immunol.</i> 2002 Nov;110(5):706-12. Review.		
C28	HUANG et al., Induction and regulation of Th1-inducing cytokines by bacterial DNA, lipopolysaccharide, and heat-inactivated bacteria. <i>Infect Immun.</i> 1999 Dec;67(12):6257-63.		
C29	IHO et al., "Oligodeoxynucleotides containing palindrome sequences with internal 5'-CpG-3' act directly on human NK and activated T cells to induce IFN-gamma production in vitro", <i>Journal of Immunology</i> , 163: 3642, 1999.		
C30	IKEDA et al., Chapter 23: Immunostimulatory DNA for allergic asthma. <u>microbial dna and Host Immunity</u> . 2002. p289-299.		
C31	JAKOB et al., "Activation of cutaneous dendritic cells by CpG-containing oligodeoxynucleotides: a role for dendritic cells in the augmentation of Th1 responses by immunostimulatory DNA", <i>Journal of Immunology</i> , 161(6): 3042-9, 1998.		
C32	JAKOB et al., "Bacterial DNA and CpG-containing oligodeoxynucleotides activate cutaneous dendritic cells and induce IL-12 production: implications for the augmentation of Th1 responses", <i>International Archives of Allergy Immunology</i> , 118(2-4): 457-61, 1999.		
C33	JILEK et al., Antigen-independent suppression of the allergic immune response to bee venom phospholipase A(2) by DNA vaccination in CBA/J mice. <i>J Immunol.</i> 2001 Mar 1;166(5):3612-21.		
C34	KATAOKA et al., "Antitumor activity of synthetic oligonucleotides with sequences from cDNA encoding proteins of Mycobacterium bovis BCG", <i>Japan Journal of Cancer Research</i> , 83: 244-247, 1992.		
C35	KATAOKA et al., "Immunotherapeutic potential in guinea-pig tumor model of deoxyribonucleic acid from Mycobacterium bovis BCG complexed with poly-L-lysine and carboxymethylcellulose", <i>Japan Journal of Medical Science and Biology</i> , 43(5):171-82, 1990.		
C36	KITAGAKI et al., Chapter 24: CpG oligodeoxynucleotides in asthma. <u>Microbial DNA and Host Immunity</u> . 2002. p301-314.		
C37	KLINE et al., CpG oligodeoxynucleotides do not require TH1 cytokines to prevent eosinophilic airway inflammation in a murine model of asthma. <i>J Allergy Clin Immunol.</i> 1999 Dec;104(6):1258-64.		



FORM PTO 449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/337,584		ATTY. DOCKET NO.: C1039.70020US00	
				FILING DATE: June 21, 1999		CONFIRMATION NO.: 9169	
				APPLICANT: Krieg et al.			
				GROUP ART UNIT: 1645		EXAMINER: Nita M. Minnifield	
Sheet	5	of	8				

C38	KLINMAN et al., Treatment of established asthma in a murine model using CpG oligodeoxynucleotides. <i>Am J Physiol Lung Cell Mol Physiol</i> . 2002 Jul;283(1):L170-9.		
C39	KLINMAN et al., Modulation of airway inflammation by CpG oligodeoxynucleotides in a murine model of asthma. <i>J Immunol</i> . 1998 Mar 15;160(6):2555-9.		
C40	KLINMAN et al., "Immune recognition of foreign DNA: a cure for bioterrorism?", <i>Immunity</i> , 11: 123-129, 1999.		
C41	KLINMAN et al., "Contribution of CpG motifs to the immunogenicity of DNA vaccines", <i>Journal of Immunology</i> , 158(8): 3635-9, 1997.		
C42	KLINMAN et al., Immunotherapeutic applications of CpG-containing oligodeoxynucleotides. <i>Drug News Perspect</i> . 2000 Jun;13(5):289-96.		
C43	KOHAMA et al., Immunostimulatory oligodeoxynucleotide induces TH1 immune response and inhibition of IgE antibody production to cedar pollen allergens in mice. <i>J Allergy Clin Immunol</i> . 1999 Dec;104(6):1231-8.		
C44	KOVARIK et al., "CpG oligodeoxynucleotides can circumvent the Th2 polarization of neonatal responses to vaccines but may fail to fully redirect Th2 responses established by neonatal priming", <i>The Journal of Immunology</i> , 162: 1611-1617, 1999.		
C45	KRANZER et al. "CpG oligodeoxynucleotides can circumvent the Th2 polarization of neonatal responses to vaccines but may fail to fully redirect Th2 responses established by neonatal priming", <i>Immunology</i> , 99: 170, 2000.		
C46	KRIEG et al., "CpG motifs in bacterial DNA and their immune effects", <i>Annual Reviews in Immunology</i> , 20: 709, 2002.		
C47	KRIEG et al., Immune effects and therapeutic applications of CpG motifs in bacterial DNA. <i>Immunopharmacology</i> . 2000 Jul 25;48(3):303-5. Review.		
C48	KRIEG et al., Abstract from 1996 meeting on Molecular Approaches to the Control of Infectious Diseases, Cold Spring Harbor Laboratory, September 9-13, 1996. p.116.		
C49	KRIEG et al., "Enhancing vaccines with immune stimulatory CpG DNA", <i>Current Opinions Molecular Therapeutics</i> , 3(1): 15-24, 2001.		
C50	KRIEG et al., Ernst Schering Research Found Workshop, (30): 105-18, 2001.		
C51	KRIEG et al., "Immune effects and mechanisms of action of CpG motifs", <i>Vaccine</i> , 19(6): 618-22, 2001.		
C52	KRIEG et al. "The role of CpG motifs in innate immunity", <i>Current Opinions Immunology</i> , 12: 35, 2000.		
C53	KRIEG et al., "Mechanism of Action in CpG DNA", <i>Current Topics in Microbiology and Immunology</i> , 247: 1-21, 2000.		
C54	KRIEG et al., "Mechanisms and therapeutic applications of immune stimulatory cpG DNA", <i>Pharmacological Therapeutics</i> , 84: 113, 1999.		
C55	KRIEG et al., "Sequence motifs in adenoviral DNA block immune activation by stimulatory CpG motifs", <i>Proceedings of the National Academy of Science</i> , 95: 12631-636, 1998.		
C56	KRIEG et al., "CpG DNA induces sustained IL-12 expression in vivo and resistance to <i>Listeria monocytogenes</i> challenge", <i>Journal of Immunology</i> , 161(5): 2428-2434, 1998.		
C57	KRIEG et al., Chapter 17: Immune stimulation by oligonucleotides. p471-515.		
C58	KRIEG, The CpG motif: Implications for clinical immunology. <i>BioDrugs</i> . 1998 Nov; 10(5):341-6.		
C59	KRIEG, Mechanisms and applications of immune stimulatory CpG oligodeoxynucleotides. <i>Biochim Biophys Acta</i> . 1999 Dec 10;1489(1):107-16. Review.		
C60	KRIEG et al., Signal transduction induced by immunostimulatory CpG DNA. <i>Springer Semin Immunopathol</i> . 2000;22(1-2):97-105. Review.		
C61	KRIEG et al., American College of Rheumatology 58th National Scientific Meeting. Minneapolis, Minnesota, October 22, 1994. Abstracts. <i>Arthritis Rheum</i> . 1994 Sep;37(9 Suppl).		
C62	KUBY et al., Editors, "Chapter 13: Cytokines", <i>Immunology: Second Edition</i> . 1994. W.H.Freeman and Company: New York, p. 297-322.		
C63	KURAMOTO et al., "Changes of host cell infiltration into Meth A fibrosarcoma tumor during the course of regression induced by injections of a BCG nucleic acid fraction", <i>International Immunopharmacology</i> , 14(5): 773-782, 1992.		
C64	KURAMOTO et al., "In situ infiltration of natural killer-like cells induced by intradermal injection of the nucleic acid fraction from BCG", <i>Microbiological Immunology</i> , 33(11): 929-940, 1989.		
C65	LECLERC et al., The preferential induction of a Th1 immune response by DNA-based immunization is mediated by the immunostimulatory effect of plasmid DNA. <i>Cell Immunol</i> . 1997 Aug 1;179(2):97-106.		



FORM PTO-147 (A and B) (Unmodified)		APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
		APPLICANT: Krieg et al.	
		GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield
Sheet	6	of	8

C66	LEIBSON et al., Role of gamma-interferon in antibody-producing responses. <i>Nature</i> . 1984 Jun 28-Jul 4;309(5971):799-801.		
C67	LEONARD et al., Interleukin-12: potential role in asthma therapy. <i>BioDrugs</i> . 2003;17(1):1-7. Review.		
C68	LIPFORD et al., "CpG-containing synthetic oligonucleotides promote B and cytotoxic T cell responses to protein antigen: a new class of vaccine adjuvants", <i>European Journal of Immunology</i> , 27(9): 2340-4, 1997.		
C69	LIPFORD et al., "Immunostimulatory DNA: sequence-dependent production of potentially harmful or useful cytokines", <i>European Journal of Immunology</i> , 27: 3420-6, 1997.		
C70	LIPFORD et al., Bacterial DNA as immune cell activator. <i>Trends Microbiol</i> . 1998 Dec;6(12):496-500. Review.		
C71	LOTZ et al., Effects of recombinant human interferons on rheumatoid arthritis B lymphocytes activated by Epstein-Barr virus. <i>J Rheumatol</i> . 1987 Feb;14(1):42-5.		
C72	MA et al., DNA-based vaccination against hepatitis C virus (HCV): effect of expressing different forms of HCV E2 protein and use of CpG-optimized vectors in mice. <i>Vaccine</i> . 2002 Sep 10;20(27-28):3263-71.		
C73	MARDH et al., <i>Alternaria alternata</i> as a cause of opportunistic fungal infections in man. <i>Scand J Infect Dis Suppl</i> . 1978;(16):36-40.		
C74	MARTIN-OROZCO et al., Enhancement of antigen-presenting cell surface molecules involved in cognate interactions by immunostimulatory DNA sequences. <i>Int Immunol</i> . 1999 Jul;11(7):1111-8.		
C75	MCCLUSKIE et al., "CpG DNA is a potent enhancer of systemic and mucosal immune responses against hepatitis B surface antigen with intranasal administration to mice", <i>Journal of Immunology</i> , 161: 4463-6, 1998.		
C76	MCCLUSKIE et al., CpG DNA as mucosal adjuvant. <i>Vaccine</i> , 18: 231-237, 2000.		
C77	MCCLUSKIE et al., "Oral, intrarectal and intranasal immunizations using CpG and non-CpG oligodeoxynucleotides as adjuvants", <i>Vaccine</i> , 19: 413-422, 2001.		
C78	MCCLUSKIE et al., "CpG DNA is an effective oral adjuvant to protein antigens in mice", <i>Vaccine</i> , 19(7-8):950-7, 2000.		
C79	MCCLUSKIE et al., "The role of CpG in DNA vaccines", <i>Springer Seminars in Immunopathology</i> , 22(1-2): 125-32, 2000.		
C80	MCCLUSKIE et al., Intranasal immunization of mice with CpG DNA induces strong systemic and mucosal responses that are influenced by other mucosal adjuvants and antigen distribution. <i>Mol Med</i> . 2000 Oct;6(10):867-77.		
C81	METZGER et al., Enhancement of humoral immunity by interleukin-12. <i>Ann N Y Acad Sci</i> . 1996 Oct 31;795:100-15.		
C82	MOND et al., Recombinant interferon-gamma inhibits the B cell proliferative response stimulated by soluble but not by Sepharose-bound anti-immunoglobulin antibody. <i>J Immunol</i> . 1985 Oct;135(4):2513-7.		
C83	MOSMANN et al., The expanding universe of T-cell subsets: Th1, Th2 and more. <i>Immunol Today</i> . 1996 Mar;17(3):138-46. Review.		
C84	PARK et al., The enhanced effect of a hexameric deoxyriboguanosine run conjugation to CpG oligodeoxynucleotides on protection against allergic asthma. <i>J Allergy Clin Immunol</i> . 2001 Oct;108(4):570-6.		
C85	PARRONCHI et al., Phosphorothioate oligodeoxynucleotides promote the in vitro development of human allergen-specific CD4+ T cells into Th1 effectors. <i>J Immunol</i> . 1999 Dec 1;163(11):5946-53.		
C86	PAYETTE et al., "History of vaccines and positioning of current trends", <i>Current Drugs Targets for Infection and Disorders</i> , 1(3): 241-7, 2001.		
C87	PISETSKY et al., "The influence of base sequence on the immunostimulatory properties of DNA", <i>Immunity Research</i> , 19: 35-46, 1999.		
C88	PISETSKY et al., Immunological properties of bacterial DNA. <i>Ann N Y Acad Sci</i> . 1995 Nov 27;772:152-63. Review.		
C89	PISETSKY et al., Immune activation by bacterial DNA: a new genetic code. <i>Immunity</i> . 1996 Oct;5(4):303-10. Review.		
C90	RANKIN et al., CpG motif identification for veterinary and laboratory species demonstrates that sequence recognition is highly conserved. <i>Antisense Nucleic Acid Drug Dev</i> . 2001 Oct;11(5):333-40.		
C91	RAZ et al., Intradermal gene immunization: the possible role of DNA uptake in the induction of cellular immunity to viruses. <i>Proc Natl Acad Sci U S A</i> . 1994 Sep 27;91(20):9519-23.		
C92	REYNOLDS et al., Inhibition of B lymphocyte activation by interferon-gamma. <i>J Immunol</i> . 1987 Aug 1;139(3):767-73.		
C93	SANDRASAGRA et al., Discovery and development of respirable antisense therapeutics for asthma. <i>Antisense Nucleic Acid Drug Dev</i> . 2002 Jun;12(3):177-81. Review.		



FORM PTO-149/A and PTO-149/B (Modified)		APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
		APPLICANT: Krieg et al.	
		GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield
Sheet	7	of	8

C94	SCHWARTZ et al., Bacterial DNA or oligonucleotides containing unmethylated CpG motifs can minimize lipopolysaccharide-induced inflammation in the lower respiratory tract through an IL-12-dependent pathway. <i>J Immunol.</i> 1999 Jul 1;163(1):224-31.		
C95	SIDMAN et al., Gamma-interferon is one of several direct B cell-maturing lymphokines. <i>Nature.</i> 1984 Jun 28-Jul 4;309(5971):801-4.		
C96	STEIN et al., Antisense oligonucleotides as therapeutic agents--is the bullet really magical? <i>Science.</i> 1993 Aug 20;261(5124):1004-12. Review.		
C97	STUART, Marketplace strategies: The asthma challenge -- Armed with a better understanding of the bad actors in the misguided immune response that causes allergies, companies hope to develop long-lasting treatments for asthma. <i>Start-up.</i> 1999 Apr; 12-20.		
C98	SUN et al. "Type I interferon-mediated stimulation of T cells by CpG DNA", <i>Journal of Experimental Medicine</i> , 188: 2335, 1998.		
C99	SUN et al. "Multiple effects of immunostimulatory DNA on T cells and the role of type I interferons", <i>Springer Seminars in Immunopathology</i> , 22: 77, 2000.		
C100	SUR et al., Long term prevention of allergic lung inflammation in a mouse model of asthma by CpG oligodeoxynucleotides. <i>J Immunol.</i> 1999 May 15;162(10):6284-93.		
C101	THREADGILL et al., "Mitogenic synthetic polynucleotides suppress the antibody response to a bacterial polysaccharide", <i>Vaccine</i> , 16(1): 76-82, 1998.		
C102	TIGHE et al., Conjugation of immunostimulatory DNA to the short ragweed allergen amb a 1 enhances its immunogenicity and reduces its allergenicity. <i>J Allergy Clin Immunol.</i> 2000 Jul;106(1 Pt 1):124-34.		
C103	TOURNOY et al., Is Th1 the solution for Th2 in asthma? <i>Clin Exp Allergy.</i> 2002 Jan;32(1):17-29. Review.		
C104	VAN UDEN et al., Immunostimulatory DNA and applications to allergic disease. <i>J Allergy Clin Immunol.</i> 1999 Nov;104(5):902-10. Review.		
C105	WAGNER, Interactions between bacterial CpG-DNA and TLR9 bridge innate and adaptive immunity. <i>Curr Opin Microbiol.</i> 2002 Feb;5(1):62-9. Review.		
C106	WALLNER et al., Immunotherapy with T-cell-reactive peptides derived from allergens. <i>Allergy.</i> 1994 May;49(5):302-8. Review.		
C107	WEERATNA et al., "CpG ODN can re-direct the Th bias of established Th2 immune responses in adult and young mice", <i>FEMS Immunology Medicine Microbiology</i> , 32(1): 65-71, 2001.		
C108	WEERATNA et al., "CpG DNA induces stronger immune responses with less toxicity than other adjuvants", <i>Vaccine</i> , 18(17): 1755-62, 2000.		
C109	WEERATNA et al., Optimization strategies for DNA vaccines. <i>Intervirology.</i> 2000;43(4-6):218-26.		
C110	WEERATNA et al., CPG ODN allows lower dose of antigen against hepatitis B surface antigen in BALB/c mice. <i>Immunol Cell Biol.</i> 2003 Feb;81(1):59-62.		
C111	WERNETTE et al., "CpG oligodeoxynucleotides stimulate canine and feline immune cell proliferation", <i>Veterinary Immunology and Immunopathology</i> , 84(3-4): 223-236, 2002.		
C112	WHALEN et al., DNA-mediated immunization to the hepatitis B surface antigen. Activation and entrainment of the immune response. <i>Ann N Y Acad Sci.</i> 1995 Nov 27;772:64-76. Review.		
C113	WYATT et al. "Combinatorially selected guanosine-quartet structure is a potent inhibitor of human immunodeficiency virus envelope-mediated cell fusion", <i>Proceedings of the National Academy of Science USA</i> , 91: 1356-60, 1994.		
C114	YI et al. "Rapid induction of mitogen-activated protein kinases by immune stimulatory CpG DNA", <i>Journal of Immunology</i> , 161: 4493, 1998.		
C115	YI et al. "CpG oligodeoxyribonucleotides rescue mature spleen B cells from spontaneous apoptosis and promote cell cycle entry", <i>Journal of Immunology</i> , 160: 5898, 1998.		
C116	ZHANG et al., Antigen- and isotype-specific immune responses to a recombinant antigen-allergen chimeric (RAAC) protein. <i>J Immunol.</i> 1993 Jul 15;151(2):791-9.		
C117	ZHAO et al., Pattern and kinetics of cytokine production following administration of phosphorothioate oligonucleotides in mice. <i>Antisense Nucleic Acid Drug Dev.</i> 1997 Oct;7(5):495-502.		
C118	[No Author Listed] Allergen Nomenclature, List of Allergens (as of March 12, 2004).		
C119	[No Author Listed] Expert panel report 2: Guidelines for the diagnosis and management of asthma -- Clinical practice guidelines. National Institutes of Health Publication. 1997 Jul; No. 97-4051:iii-79.		
C120	Patent Interference No. 105,171. Miscellaneous Motion 1 (Unopposed Additional Request for Copies of File Histories). April 15, 2004.		



FORM PTO-449/A and B (modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/337,584		ATTY. DOCKET NO.: C1039.70020US00	
				FILING DATE: June 21, 1999		CONFIRMATION NO.: 9169	
				APPLICANT: Krieg et al.			
				GROUP ART UNIT: 1645		EXAMINER: Nita M. Minnifield	
Sheet	8	of	8				

	C121	Patent Interference No. 105,171. Miscellaneous Motion 2 (Unopposed Request for Addition to Iowa's File History). April 15, 2004.		
	C122	Patent Interference No. 105,171. Iowa Preliminary Motion 3 (for Judgment Based on Failure to Comply with 35 U.S.C. 135(b)) (Electronically filed, unsigned). June 7, 2004.		
	C123	Patent Interference No. 105,171. Iowa Preliminary Motion 4 (For Judgment of No Interference in Fact) (Electronically filed, unsigned). June 7, 2004.		
	C124	Patent Interference No. 105,171. Iowa Preliminary Motion 5 (For Judgment Based on Lack of Enablement) (Electronically filed, unsigned). June 7, 2004.		
	C125	Patent Interference No. 105,171. Iowa Preliminary Motion 6 (For Judgment Based Lack of an Adequate Written Description) (Electronically filed, unsigned). June 7, 2004.		
	C126	Patent Interference No. 105,171. Iowa Preliminary Motion 7 (Motion to Redefine the Interference to Designate Claims as Not Corresponding to the Count) (Electronically filed, unsigned). June 7, 2004.		
	C127	Patent Interference No. 105,171. Iowa Preliminary Motion 8 (Contingent Motion to Redefine Count) (Electronically filed, unsigned). June 7, 2004.		
	C128	Patent Interference No. 105,171. Iowa Preliminary Motion 9 (Motion for Benefit of Earlier Application) (Electronically filed, unsigned). June 7, 2004.		
	C129	Patent Interference No. 105,171. Iowa Preliminary Motion 10 (Contingent Motion to Redefine the Interference By Adding A Continuation Application) (Electronically filed, unsigned). July 2, 2004.		
	C130	Patent Interference No. 105,171. Regents of the University of California Preliminary Statement. June 7, 2004.		
	C131	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 1 (To Designate Additional Claims of the Iowa Patent as Corresponding to the Count). June 7, 2004.		
	C132	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 2 (For Judgment Based on Lack of Written Description Support and Introducing New Matter). June 7, 2004.		
	C133	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 3 (For Judgement Based on Anticipation). June 7, 2004.		
	C134	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 4 (For Judgment Based on Obviousness). June 7, 2004.		
	C135	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 5 (For Judgement Based on Anticipation). June 7, 2004.		
	C136	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 6 (For Judgment Based on Inequitable Conduct). June 7, 2004.		
	C137	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 7 (For Benefit of an Earlier Application under 37 CFR 1.633(j)). July 2, 2004.		
	C138	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 8 (To Add Additional Claims Under 37 CFR 1.633(c)(2) and (i)). July 2, 2004.		
	C139	Amended Claims for Application Number 09/265,191, filed March 10, 1999.		

EXAMINER	DATE CONSIDERED
----------	-----------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]